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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/911,670	07/24/2001	Bruce A. Willins	022.0206 (1122)	3824

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EXAMINER

NGUYEN, TOAN D

ART UNIT	PAPER NUMBER
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2416

NOTIFICATION DATE	DELIVERY MODE
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12/15/2008

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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docketing@ifllaw.com

Office Action Summary	Application No. 09/911,670	Applicant(s) WILLINS ET AL.	
	Examiner TOAN D. NGUYEN	Art Unit 2416	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 November 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 July 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>11/25/08</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

Response to Arguments

2. Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).
5. Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vij et al. (US 6,452,910) in view of Karaoguz et al. (US 7,114,010).

For claims 1, 3 and 5, Vij et al. disclose bridging apparatus for interconnecting a wireless PAN and a wireless LAN, comprising:

conducting wireless data communications with the mobile units using said first wireless communication protocol (figure 6, col. 6, lines 39-44);

receiving, by a network interface of the access point (figure 6, reference Wireless Bridge), the management communications from the host computer (figure 6, reference Data Acquisition System) over a cable connection (col. 6, lines 48-50).

However, Vij et al. do not expressly disclose:

when a communication failure between the host computer and the access point occurs over the cable connection, a radio module of the access point receiving the management communications from a wireless terminal that is distinct from the host computer over a wireless connection using a second wireless communications protocol to allow management of the access point, wherein the second wireless communication protocol is different from the first wireless communication protocol.

In an analogous art, Karaoguz et al. disclose:

when a communication failure between the host computer and the access point occurs over the cable connection, a radio module of the access point receiving the management communications from a wireless terminal that is distinct from the host computer over a wireless connection using a second wireless communications protocol to allow management of the access point, wherein the second wireless communication protocol is different from the first wireless communication protocol (col. 11, lines 52-54, and col. 11, lines 64-67).

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Karaoguz et al. disclose wherein the first wireless communications protocol is an 802.11 Protocol and the second wireless communications protocol is Bluetooth (col. 11, lines 52-53 as set forth in claim 3); wherein said second wireless communications protocol is Bluetooth (col. 11, line 52 as set forth in claim 5).

One skilled in the art would have recognized the when a communication failure between the host computer and the access point occurs over the cable connection, a radio module of the access point receiving the management communications from a wireless terminal that is distinct from the host computer over a wireless connection using a second wireless communications protocol to allow management of the access point, wherein the second wireless communication protocol is different from the first wireless communication protocol, and would have applied Karaoguz et al.'s dual mode controller in Vij et al.'s wireless bridge. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention, to use Karaoguz et al.'s multi-mode controller in Vij et al.'s bridging apparatus for interconnecting a wireless PAN and a wireless LAN with the motivation being to set up the Bluetooth connection and send the data (col. 11, line 66 to col. 12, line 1).

For claim 2, Vij et al. disclose further comprising at least one of configuring one or more resources of said access point and adjusting one or more parameters of said access point responsive to said received management communications (col. 8, lines 48-58).

For claim 4, Vij et al. disclose authenticating said management communications (col. 11, lines 5-6).

For claim 6, Vij et al. disclose associating said radio module as a slave unit (col. 8, line 6).

For claim 7, Vij et al. disclose authenticating said management communications (col. 11, lines 5-6).

For claim 8, Vij et al. disclose bridging apparatus for interconnecting a wireless PAN and a wireless LAN, comprising:

a first network interface for conducting data communications with one or more computers adapted to provide management communications with the access point (figure 6, reference Wireless Bridge), and for receiving management communications from the one or more computers over a cable connection (col. 6, lines 48-50);

a first radio module using a first wireless communications protocol for wirelessly transmitting first data messages received from the one or more computers at said first network interface to mobile units (col. 6, lines 45-50) and for receiving second data messages from the mobile units and relaying the second data messages to the one or more computers via said first network interface (figure 4, col. 5, lines 22-25);

at least one processor (figure 1, reference CPU) connected to the first network interface and the radio module for controlling the access point (col. 4, lines 18-22).

However, Vij et al. do not expressly disclose:

a second radio module operating using a second wireless communications protocol, which is different from the first wireless communications protocol, and for receiving the management communications from a wireless terminal that is distinct from

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the host computer over a wireless connection when a communication failure between the one or more computers and the access point occurs over the cable connection.

In an analogous art, Karaoguz et al. disclose:

a second radio module operating using a second wireless communications protocol, which is different from the first wireless communications protocol, and for receiving the management communications from a wireless terminal that is distinct from the host computer over a wireless connection when a communication failure between the one or more computers and the access point occurs over the cable connection (col. 11, lines 52-54, and col. 11, lines 64-67).

One skilled in the art would have recognized the second radio module operating using a second wireless communications protocol, which is different from the first wireless communications protocol, and for receiving the management communications from a wireless terminal that is distinct from the host computer over a wireless connection when a communication failure between the one or more computers and the access point occurs over the cable connection, and would have applied Karaoguz et al.'s dual mode controller in Vij et al.'s wireless bridge. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention, to use Karaoguz et al.'s multi-mode controller in Vij et al.'s bridging apparatus for interconnecting a wireless PAN and a wireless LAN with the motivation being to set up the Bluetooth connection and send the data (col. 11, line 66 to col. 12, line 1).

For claim 9, Vij et al. disclose wherein the second radio module is arranged to operate as a slave module using a master slave protocol (col.8, line 6).

For claim 10, Vij et al. disclose wherein the second radio module is arranged to operate as a slave module using a Bluetooth protocol (col.8, line 6).

For claim 11, Vij et al. disclose wherein said processor is further arranged to authenticate communications via said second radio module (col. 11, lines 4-6).

For claim 12, Vij et al. disclose bridging apparatus for interconnecting a wireless PAN and a wireless LAN, comprising:

- a hardwired network interface (figure 1, col. 4, lines 18-20);

- a first radio module (figure 1, reference RF Comm Card, col. 4 line 20) adapted to provide data communications with mobile units according to a first wireless communications protocol (col. 6, lines 48-50);

- a second radio module (figure 1, reference WLAN Comm Card, col. 4, line 20) adapted to communicate with a wireless terminal according to a second wireless communications protocol, which is different from the first wireless communications protocol (figure 6, col. 6, line 67); and

- a processor (figure 1, reference CPU) communicatively coupled to the hardwire network interface, the first radio module, and the second radio module (figure 1, col. 4, lines 18-22), the processor adapted to:

 - provide data messages from the hardwired network interface to the first radio module (col. 4, lines 18-22),

 - receive, via the hardwired network interface, management communications from a remote computer that is adapted to provide the management communications to the apparatus (col. 7, lines 43-45).

However, Vij et al. do not expressly disclose when a communication failure between the remote computer and the apparatus occurs over the hardwired network interface, to receive the management communications using the second wireless communications protocol from the wireless terminal via the second radio module. In an analogous art, Karaoguz et al. disclose when a communication failure between the remote computer and the apparatus occurs over the hardwired network interface, to receive the management communications using the second wireless communications protocol from the wireless terminal via the second radio module (col. 11, lines 52-54, and col. 11, lines 64-67).

One skilled in the art would have recognized the when a communication failure between the remote computer and the apparatus occurs over the hardwired network interface, to receive the management communications using the second wireless communications protocol from the wireless terminal via the second radio module, and would have applied Karaoguz et al.'s dual mode controller in Vij et al.'s wireless bridge. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention, to use Karaoguz et al.'s multi-mode controller in Vij et al.'s bridging apparatus for interconnecting a wireless PAN and a wireless LAN with the motivation being to set up the Bluetooth connection and send the data (col. 11, line 66 to col. 12, line 1).

For claim 13, Vij et al. disclose wherein the processor (figure 1, reference CPU) is adapted to allow data communications through the first radio module and to allow to management features through the second radio module (col. 6, lines 45-54).

For claim 14, Vij et al. disclose wherein the second radio module operates as a slave unit at least during a portion of the time the access to the management features is allowed (col. 8, line 6).

For claim 15, Vij et al. disclose wherein the processor is further adapted to authenticate communications associated with access of management features (col. 11, lines 1-6).

For claim 16, Vij et al. disclose wherein the first protocol is an 802.11 protocol and the second wireless communications protocol is a Bluetooth protocol (col. 3, line 50).

For claim 17, Vij et al. disclose wherein the processor is further adapted to allow monitoring of the data communications (col. 8 lines 22-50).

For claim 18, Vij et al. disclose wherein receiving the management communications comprises receiving one or more communications selected from a group of communications that includes updated system information, modified system programming, information concerning association with the mobile units, data for use by access points, and software for use by access points (col. 8, lines 48-58).

For claim 19, Vij et al. disclose monitoring the wireless data communication using the second wireless data communications protocol (col. 8, lines 22-50).

For claim 20, Vij et al. disclose wherein the at least one processor is further allows monitoring the data communications using the second wireless data communications protocol (col. 8, lines 22-50).

Conclusion

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6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to TOAN D. NGUYEN whose telephone number is (571)272-3153. The examiner can normally be reached on M-F (7:00AM-4:30PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Firmin Backer can be reached on 571-272-6703. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/T. D. N./
Examiner, Art Unit 2416

/FIRMIN BACKER/
Supervisory Patent Examiner, Art Unit 2416